

**CITY OF NEWARK
DELAWARE
COUNCIL MEETING AGENDA**

November 27, 2023 – 6:30 P.M. – Council Chambers

Per the hybrid meeting provisions as provided in 29 Del. C. §10006A, City Council will be meeting in person with remote access via Microsoft Teams at the following link: <https://tinyurl.com/City-Council-Meeting11272023>

New to Microsoft Teams? Click on the link above and click on “Continue in this Browser” to enter the meeting.

Public comments may be submitted on the items on the agenda via email to council@newark.de.us by 6:00 p.m. All public comments received will be read into the record at the meeting. Attendees may also alert the City Secretary that they wish to speak at the appropriate time by using the raise hand function in Microsoft Teams or by submitting their name, district and/or address, and agenda item on which they would like to comment via the Microsoft Teams chat function during the meeting.

There may be a vote on each and every agenda item set forth herein.

MOTION TO ENTER EXECUTIVE SESSION

EXECUTIVE SESSION

- A. Executive Session Pursuant to 29 Del. C. §10004 (b)(4) for the purposes of a strategy session, including those involving legal advice or opinion from an attorney-at-law, with respect to potential litigation when an open meeting would have an adverse effect on the litigation position of the public body and discussion of the content of documents, excluded from the definition of “public record” in § 10002 of this title where such discussion may disclose the contents of such documents

SILENT MEDITATION & PLEDGE OF ALLEGIANCE

***1 PUBLIC PRESENTATION: (15-minute limit):** None

2. ITEMS NOT ON PUBLISHED AGENDA:

- A. Elected Officials who represent City of Newark residents or utility customers (2 minutes)
- B. University
 - (1) Administration (5 minutes per speaker) (5 minutes)
 - (2) Student Body Representative(s) (5 minutes per speaker)
- C. City Manager (10 minutes)
- D. Council Members (5 minutes)
- E. Public (5 minutes per speaker)

PUBLIC COMMENT – Public comment is a time for individuals to speak before Council. Individuals are limited to three minutes each in public comment for items not on the published agenda. Individuals also are limited to three minutes per agenda topic for items on the published agenda that are open to public comment with the exception of public presentations which shall have one minute each for public comment. These time limits may be extended by the chair upon the request of a Council member. Individuals wishing to make public comment in either category should sign in on the list provided at the entrance of the Council chamber prior to the start of the meeting. At the appropriate time, individuals who have signed up for public comment will be called forward to the podium by the chair of the meeting to speak. Thereafter other members of the public may request to be recognized by the chair. Individuals should approach the podium, state their name and information about their residence (address or council district and/or non-City of Newark residents), and commence with their comments. Please be sure to speak into the microphone so your comments are recorded. Once you have completed your comments, please be seated. If you choose to cede your time for public comment to another audience member, you must be present in order to do so. Please be courteous to those who are speaking during public comment by refraining from commenting from the audience while others are speaking. Council may or may not answer questions during public comment. Public comments may also be submitted on the items on the agenda via email to council@newark.de.us by 6:00 p.m. All public comments received will be read into the record at the meeting.

3. APPROVAL OF CONSENT AGENDA: (1 minute)

- A. Approval of Council Meeting Minutes – November 6, 2023
- B. [Approval of Complimentary Parking Days for the 2023 Holiday Season and 2024 Calendar Year](#)
- C. [Approval of the Polling Places for the January 9, 2024 Special Mayoral Election](#)
- D. [First Reading – Bill 23-20 – An Ordinance Amending Chapter 25, Sewers, Code of the City of Newark, Delaware, By Increasing Sewer Volumetric Charges Effective January 1, 2024 – Second Reading – December 11, 2023](#)
- E. [First Reading – Bill 23-21 – An Ordinance Amending Chapter 30, Water, Code of the City of Newark, Delaware, By Increasing Water Customer Charges and Volumetric Charges Effective January 1, 2024; and Amend Chapter 30, Section 30-33, Water Rates During Vacancy of Property – Second Reading – December 11, 2023](#)
- F. [First Reading – Bill 23-22 – An Ordinance Amending Chapter 7, Building, Code of the City of Newark, Delaware, By Increasing Permit Fees Effective January 1, 2024 – Second Reading – December 11, 2023](#)

- G. [First Reading – Bill 23-23 – An Ordinance Amending Chapter 7, Building, Chapter 13, Finance, Revenue, and Taxation, and Chapter 17, Housing and Property Maintenance, Code of the City of Newark, Delaware, By Increasing Rental License Fees Effective January 1, 2024, Moving Rental License Fees and Related Regulations to Chapter 13 from Chapter 17, and Adding New Section Reference to Continue Having Rental License Appeals Be Made to the Board of Building, Fire, Property Maintenance and Sidewalk Appeals – Second Reading – December 11, 2023](#)
- H. [First Reading – Bill 23-24 – An Ordinance Amending Chapter 7, Building, and Chapter 13, Finance, Revenue, and Taxation, Code of the City of Newark, Delaware, By Creating a Technology Fee Effective January 1, 2024 – Second Reading – December 11, 2023](#)

CONSENT AGENDA – The Consent Agenda is comprised of proposed ordinances on for First Reading and those items that are considered routine and non-controversial and will be acted upon by a single vote of the Council. There shall be no separate discussion of proposed ordinances on for First Reading. For the remaining items, there will be no separate discussion unless a member of Council requests, in which event the matter shall be removed from the Consent Agenda and considered a separate item at that Council Meeting.

*4. **APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:** None

5. **ITEMS NOT FINISHED AT PREVIOUS MEETING:** None

*6. **SPECIAL DEPARTMENTAL REPORTS:**

*7. **FINANCIAL STATEMENT:** [\(Ending September 30, 2023\) – Finance Director \(30 minutes\)](#)

*8. **RECOMMENDATIONS ON CONTRACTS & BIDS OVER CONSENT AGENDA LIMIT:**

*9. **ORDINANCES FOR SECOND READING & PUBLIC HEARING:**

- A. [Bill 23-18 – An Ordinance Amending Chapter 27, Subdivisions, Code of the City of Newark, Delaware, By Creating Addressing Standards for Buildings in the City of Newark](#)
- B. [Bill 23-19 – An Ordinance Amending Chapter 2, Administration, Code of the City of Newark, Delaware, By Adding a Bid Waive Criterium for Material and Service Purchases Between \\$50,000.01 and \\$100,000, and Public Works for Purchases Between \\$100,000.01 and \\$200,000.](#)

*10. **RECOMMENDATIONS FROM THE PLANNING COMMISSION AND/OR PLANNING & DEVELOPMENT DEPARTMENT**

- A. [Request of South College Associates, LLC, for the Minor Subdivision of 0.9978 +/- Acres to Demolish the Existing Building and Construct a 4,736 Square Foot Retail Food Store with Gas Pumps at the Property Located at 1115 South College Avenue \(Agreement and Resolution Attached\) \(See Item 10B\)](#)
- B. [Request of South College Associates, LLC for a Special Use Permit for an Automobile/Vehicle Refueling Service Station at the Property Located at 1115 South College Avenue \(See Item 10A\)](#)

***OPEN FOR PUBLIC COMMENT**

Agenda Posted – November 20, 2023

Attest:

Sworn by:

City Secretary

Notary Public

(Seal)